



MIPB-R4526

March 14, 2019

Ms. Sanyogita Chavan, Director of Planning
Township of Middletown Planning Board
One Kings Highway
Middletown, New Jersey 07748

via E-Mail

**Re: Village 35, L.P.
Highway 35
Block 825, Lots 53-57, 58-68, 69.01, 72-79 & 81
Amended Major Subdivision and Major Site Plan
First Engineering Review
MTPB # 2015-206**

Dear Board Members:

As requested, our office has reviewed the following submittals for the above referenced property:

- Preliminary Major Site Plan Checklist.
- Final Major Site Plan Checklist.
- Preliminary Major Subdivision Checklist.
- Final Major Subdivision Checklist.
- Application for Development Permit dated December 20, 2018:
- Owner Disclosure form.
- Proof of Tax Payment.
- Lot Owner's Consents.
- Certificate of Title.
- Project Narrative.
- Zoning Officer's Denial of Development Permit dated January 23, 2019.
- Preliminary and Final Major Subdivision Plan; prepared by Langan Engineering, consisting of four (4) pages, dated December 14, 2018.
- Preliminary and Final Major Subdivision Site Plan, prepared by Langan Engineering, consisting of sixty-two (62) pages, dated December 14, 2018.
- Architectural Plan Package.
- Building Signage Package.
- Site Signage Package.
- Environmental Impact Report, prepared by Donald DiMarzio, M.S., P.P., dated January 2, 2019.
- Stormwater Management Report, Volumes I and II, prepared by Langan Engineering and Environmental Services, dated February 11, 2016, last revised October 30, 2018.
- Operation and Maintenance Manual for Stormwater Management Facilities, prepared by Langan Engineering and Environmental Services, dated October 30, 2018.

Please note, our office has received the following documents on March 11, 2019, however, due to the limited amount of time from receipt to the public hearing, our office has not reviewed these documents as part of this review letter;



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- Preliminary and Final Major Subdivision Site Plan, prepared by Langan Engineering, consisting of sixty-two (62) pages, dated December 14, 2018, signed March 5, 2019.
- Stormwater Management Report, Volumes I and II, prepared by Langan Engineering and Environmental Services, dated February 11, 2016, last revised February 22, 2019.
- Traffic Impact Study, prepared by Langan Engineering, dated September 22, 2015, last revised February 10, 2016.

Based on our review and a recent site visit, we offer the Board the following comments and suggestions:

A. Project Description

The existing site currently consists of a liquor store and has frontage on both NJ-35 North, Kanes Lane and Kings Highway East and is located within the PD Zone. The applicant is proposing to demolish and remove all existing structures and parking areas and build a shopping center consisting of 285,000 square feet of retail space, 28,000 square feet of restaurant/retail/office space, and a 28,000 square foot theater space for a total of 341,000 square feet of commercial space. The applicant proposes several improvements within NJDEP regulated wetlands areas on the site.

The applicant also proposes significant off-site improvements including the rerouting of Kings Highway East and Kanes Lane which would take portions of the existing roads out of service. The rerouting of Kings Highway East includes modifications to the existing traffic flow at the intersection of Twin Brooks Avenue and Route-35, which is under the jurisdiction of the NJDOT. Additionally, the re-alignment of Kanes Lane and rerouting of the jug-handle at the intersection of Rt-35 North and Woodland Drive will alter the current traffic patterns in this area as well.

The subject tract was determined to be an area in need of redevelopment without condemnation in December of 2017.

B. Off-Tract or Off-Site Improvements

1. It appears the applicant is proposing new water, sewer and gas utility connections within the NJ-35 R.O.W. We defer review of the proposed improvements to the NJDOT.
2. The applicant is proposing new water, sewer and gas utilities within the Township Right-of-way on Kanes Lane and Kings Highway East. The applicant shall provide the limits of any associated pavement, curb, sidewalk and driveway repairs within the Township Right-of-way or off-site. The following shall be addressed;
 - a. Limits of repair for utility connections shall be reviewed by the Township Engineer prior to construction.



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3. The applicant shall obtain approval from the Township for the realignments of Kings Highway East and Kaness Lane. Additional approvals may also be required.
4. The applicant shall indicate if the portion of old Kings Highway East which will connect Rt-35 North to the new alignment of Kings Highway East is to be renamed. This shall be coordinated with the Township.
5. The applicant appears to be reconstructing Kings Highway East from the “Knollwood Gardens” driveway to Rt-35 North. The pavement hatch appears to be on a diagonal. The applicant shall adjust the limits to provide a horizontal pavement repair.
6. We defer to NJDOT for review and approval of all proposed improvements that are under their jurisdiction.
7. The applicant is proposing to extend the driveway of the “Bassett” property (Lot 3) to meet the realigned section of Kaness Lane. A construction easement will be required. In addition, the applicant shall provide testimony in regard to the portion of Kaness Lane to be removed and its ownership.
8. With the proposed roadway realignment of Kings Highway East, the applicant will create a new lot (Lot 58.02 Block 825.01) containing Stormwater Basin 1. The applicant shall provide a deed restriction for this lot and any appropriate drainage easements for future maintenance and repair. The applicant shall also confirm that they will maintain ownership of this lot.
9. The applicant shall determine if any utility relocations are required due to the realignment of Kings Highway East or Kaness Lane. If so, these relocations shall be noted on the plans. In addition, it appears that several utilities are not proposed to be relocated. The applicant shall provide testimony regarding any agreements with adjacent property owners on whether they will remain in place under an easement. The applicant shall provide testimony in regards to whether they have considered relocating the utilities into the realigned rights-of-way.
10. The applicant shall provide additional detail of the proposed bus stop; including ADA access, signage, type of construction, etc. As shown, it doesn’t appear that the bus shelter will be ADA compliant. We defer further review to the NJDOT.
11. The plans indicate that the Inter-Connect Road is to be constructed as part of this application. The applicant shall confirm.



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C. Site Requirements/Layout

1. The applicant shall provide testimony regarding the proposed uses on-site and the operating process of each use. This shall include number of employees, hours of operation, etc.
2. The applicant has provided a phasing plan, the following shall be addressed.
 - a. As a condition of approval, the applicant shall provide a more detailed phasing plan for phases 1A, 1B and 1C which include the realignment of Kanes Lane and Kings Highway East and the Interconnect Road. Detour Plans and Staging Plans shall also be provided, as required. All road work shall be coordinated with the Township Engineer, Township's Engineering Consultant, and the Middletown Township Police Department.
 - b. We note that there is drainage proposed within Old Kings Highway East (Phase 1A) which traverses the retail building 1 site (Phase 3). The applicant shall clarify if this drainage will be constructed during Phase 1A.
 - c. Portions of new Kings Highway East run directly through the existing Spirits Liquor Store Parking area which is to be demolished. The applicant shall clarify if the entire site will be cleared and demolished prior to starting phase 1A or if only a portion will be demolished.
 - d. Drainage facilities shall be constructed prior to any improvements from which they receive run-off. Please verify phasing in this regard.
3. The applicant notes that the current proposal contains 341,000 square feet of building area. If the applicant intends to increase the building area from the currently proposed, the applicant shall be required to submit revised site plans for review to determine the impacts the additional building area will have on the overall site layout and infrastructure design.
4. Section 540-627.R.41. of the Ordinance requires 4.5 parking spaces for every 1,000 SF of gross floor area for a shopping center use. The proposed shopping center has a gross floor area of 341,000 SF; Based on the above the parking computation is as follows;

Shopping Center Use: $341,000 \text{ SF} \times 4.5 \text{ spaces} / 1,000 \text{ SF} = 1,535 \text{ spaces}$

The applicant provides 1676 spaces within the shopping center parking lot; therefore, the parking count has been met.



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The addition of floor area to the current shopping center layout may have impacts on the amount of parking provided; therefore, if additional floor area is proposed in the future, the parking requirements will be reviewed and revised at that time.

5. The applicant is required to provide ADA parking in accordance with the 2010 ADA Standards. Based on a parking lot consisting of 1676 spaces for the proposed shopping center use the ADA parking demand is 27 spaces, including four "Van Accessible" spaces. For parking lots greater than 1000 spaces the demand is 20 spaces plus 1 per 100 spaces over 1000 spaces, based on this the ADA parking demand calculation is as follows:

20 ADA spaces + 676 spaces x (1 ADA Space/100 spaces) = 27 ADA spaces. The applicant provides 71 accessible spaces, most of which appear to be "Van Accessible" therefore, it appears the ADA parking demand is met; however, this should be confirmed.

6. We note the applicant is making improvements to the parking area on the Wells Fargo bank site (Lot 58.01 Block 825.01), a bank use requires 1 parking space for every 200 square feet of building area. The bank is 4,400 square feet; therefore, 22 spaces are required, and the applicant proposes 46 spaces. Based on the parking provided, it appears to comply with the Ordinance.
7. The applicant is required to provide ADA parking in accordance with the 2010 ADA Standards for the bank site as well. Based on a parking lot consisting of 46 spaces for the existing bank use the ADA parking demand is 2 spaces, including one "Van Accessible" space. The applicant proposes two (2) accessible spaces, and at least one space is "Van Accessible", therefore, the ADA parking demand is met.
8. The applicant shall provide testimony as to the frequency and type of trucks that will access the site including deliveries and garbage collection and when those operations are planned to occur.
9. The applicant now proposes various site improvements on Block 825.01 Lot 58.01. A construction easement/agreement will be required.
10. The applicant shall demonstrate the proposed refuse enclosures are adequately sized to accommodate the proposed refuse and recyclables generated from the site.
11. The loading area proposed for building #7 is not shown. The loading area proposed for buildings #1 & #2 are located within the access aisles of the parking area and are unmarked. The proposed locations will conflict with passenger vehicle access; therefore, alternate locations shall be proposed, or restricted hours shall be provided. The applicant shall clearly mark the loading spaces, as required by Section 540-626.D. of the Ordinance.



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In addition, the applicant shall obtain approval from the Fire Official for the proposed locations of all loading zones to confirm they do not have any impact on fire zones or emergency vehicle access.

12. The applicant shall revise the plans to indicate loading zone striping and signage at the various buildings on the site. In addition, it appears that, in some locations, the loading areas are smaller than the proposed trucks; therefore, the loading areas shall be increased.
13. The applicant proposes both standard duty and heavy-duty asphalt; however, the details don't meet the minimum standards of the Township, the plans shall be revised.
14. The site plan indicates two pedestrian crossings at the intersection of Kings Highway East with the Interconnect Road and one at the intersection of Kanes Lane with the Interconnect Road.
15. The site plan also contains two pedestrian crossings along the Interconnect Road at both access drives to Building #5. However, the stop controls along the Interconnect Road conflict with vehicles turning left onto the Interconnect Road. The plans shall be revised.
16. The applicant shall provide information regarding the complete streets and traffic calming proposed to ensure accessibility and site circulation of pedestrians and cyclists, as well as, automobiles. Testimony shall be provided.
17. It appears that the Interconnect Road will be heavily utilized by trucks to access the site for loading and unloading operations. The use of the Interconnect Road as a truck route also requires trucks to utilize the segments of Kings Highway East and Kanes Lane between the Interconnect Road and Route 35. In addition, several truck turning movements on the circulation plans indicate that delivery trucks will travel to Kings Highway East, east of the intersection with the Interconnect Road. It is recommended that the applicant mitigate this condition using signage and other geometric restrictions to route delivery vehicles to Route 35 through the internal roadways on the site as opposed to the municipal roadways of Kings Highway East and Kanes Lane. The applicant shall provide justification for truck access to the municipal roadways if trucks cannot be restricted from accessing the site via Route 35 only. The applicant also proposes direct access for trucks via Kanes Lane and the Interconnect Road and from the building #6 loading area to Kanes Lane.
18. Based on a review of the vehicle circulation plans, trucks are anticipated to utilize opposing travel lanes to complete maneuvers within and external to the site and to enter and exit the site for deliveries. This is an undesirable condition. The applicant shall mitigate this condition wherever possible or provide justification for such movements.



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The applicant shall provide testimony as to the maneuvers, time of day and potential conflicts.

19. The applicant shall provide painted arrows at all entrance and exit driveways. We defer the NJDOT for review of the entrance and exit driveways within their jurisdiction.
20. The applicant shall provide details of the guide rail end treatments for all on-site guiderail; end treatments shall be crashworthy and comply with NJDOT Standards. We defer to the NJDOT for review of guiderail within their Right-of-Way.
21. The applicant shall provide additional information and testimony regarding the proposed patio areas at Retail Building #6.
22. The WB-67 tractor trailer movements entering the Building #1 parking area and leaving cross over the stop bar and into the oncoming lane. The applicant shall revise the plans to correct this issue.
23. The WB-67 tractor trailer movements entering and exiting the Building #2 loading area cross over the stop bar, striping and into the oncoming lane. The applicant shall provide testimony regarding delivery operations and times.
24. The WB-50 truck entering the building #3 loading area crosses over the stop bar and into oncoming traffic in the westerly direction. This shall be addressed.
25. It appears the WB-50 movement exiting the site between Stormwater Basins #2 and 3 crosses the island striping into the entering lane and then crosses into an additional lane on STR 35 North, this should be addressed.
26. Turning movements should be provided on the East side of Building #4, entering the Inter-Connect Rd.
27. The applicant shall provide a turning template of a left hand turn from Inter-Connect Rd south to Kanes Road East.
28. It appears the WB-67 movement from Inter-Connect North to the Building #6 loading area crosses the stop bar. This shall be addressed.
29. It appears the WB-67 tractor trailer movement completing a Left turn from Kanes Lane to the Inter-Connect Road crosses the stop bar, this should be addressed.
30. The applicant shall provide a turning template of a right hand turn from Inter-Connect Rd south to Kanes Road West.



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31. It appears the WB-67 movement exiting the site behind Stormwater Basins #5 conflicts with the curb island. The movement then crosses into an additional lane on Route 35. These issues should be addressed.
32. The SU-40 turning movement exiting Building #7 appears to cross the stop bar and enter the oncoming traffic. This should be addressed by the applicant.
33. The SU-40 turning movement entering and exiting the trash area near building #2 has multiple conflicts with curbing and also crosses the centerline of the western driveway aisle when making a right.
34. It appears the WB-67 turning right from the interconnect road onto Kings Highway East crosses the centerline on the interconnect road into oncoming traffic. The plans shall be revised. In addition, the applicant shall confirm that no site generated trucks would be turning right onto Kings Highway East.
35. The applicant shall confirm the types of trucks that will require access to retail building #1. Additional turning templates may be required if tractor trailers will need access to the site. The applicant has provided a circulation plan which details the full path for an SU-40 truck through this portion of the site. The applicant shall confirm that no larger trucks will be required to access this portion of the site.
36. The WB-67 tractor trailer movement entering Building #5 crosses several lanes of traffic and turning lanes. This should be addressed by the applicant.
37. The WB-67 tractor trailer movement exiting Building #5 crosses several lanes of traffic and turning lanes. This should be addressed by the applicant.
38. The applicant shall identify the accessible route into Building #6, it does not appear that depressed curb is provided. A curb ramp is shown in the parking lot crossing towards the center of the western building face; however, no ramp is provided on the opposite side. A ramp shall be provided.
39. The plans shall be revised to improve pedestrian circulation in the parking area adjacent to Building 6.
40. The applicant is proposing several 16-ft wide swing gates at stormwater basin #6, however, these gates are located directly in front of a retaining wall and behind the proposed steel guiderail. The applicant shall provide testimony regarding access in these areas and the applicability of gates in these locations.



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41. Stop bars seem to conflict with truck movements from the site driveways at buildings 4 and 5 to the Inter-Connect Road. The plans shall be revised.
42. The applicant has provided fire truck turning templates. There are a number of similar issues related to conflicts; therefore, the plans shall be revised. We defer to the Fire Official to determine the adequacy of the turning movements provided relating to emergency access.
43. The stop sign location at the northeastern internal driveway to building #7 should be moved adjacent to stop bar.
44. The proposed parking at the bank is closer than 25 feet from the Route 35 R.O.W. The plans shall be revised.

D. Drainage/Grading

1. The proposed project will disturb more than 1 acre of land; therefore, is considered a "major development" as defined by N.J.A.C. 7:8, and subject to the NJDEP Stormwater Management II requirements.
2. The applicant indicates that the stormwater quantity requirement is addressed by reducing the post construction peak runoff rates for the 2, 10 and 100-year storm events to 50, 75, 80 percent, respectively, of the preconstruction peak runoff rates.
3. The project is subject to the groundwater recharge requirements and the applicant proposes to maintain 100 percent of the average annual pre-construction groundwater recharge volume, for the site, in accordance with N.J.A.C. 7:8-5.4(a)2i(1). The following applies to New Jersey Groundwater Recharge (NJGWR) Spreadsheets, provided in Appendix H of the SWM report.
4. The pre and post-developed conditions drainage areas and CN in the report shall be revised for consistency with the information shown on the pre/post drainage area maps.
5. The Soil map and the drainage area maps show that portions of the drainage areas are type B soil (FrC, FrkC & FrkB) and type D soil (UdaB). However, the existing and proposed drainage areas do not include type B and type D soil in the calculations. The calculations shall be revised accordingly.
6. The applicant proposes seven (7) surface basins and four (4) Underground (UG) infiltration systems, consisting of 48-inch High Density Polyethylene (HDPE) pipes, 48-inch corrugated metal pipe and 60-inch corrugated metal pipe to capture/infiltrate roof runoff for buildings 4, 5 and 6.



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7. The applicant shall revise the plans to match the culvert / orifice structure (A) of the out pipe information in the pond report for the following basin OCS's:
 - a. Basin 3 - The plan shall be revised to match the weir structure (A) pipe information for the 15" outflow pipe (from the OCS-3 to CB-10-13).
 - b. Basin-Ret-4 - The plan shall be revised to match the weir structure (A) pipe information for the 18" outflow pipe (from the OCS-RET-4 to CB-01-10).
 - c. Basin 5 - The plan shall be revised to match the weir structure (A) pipe information for the 15" outflow pipe (from the OCS-5 to WQS-05).
 - d. Basin-Ret-5 - The plan shall be revised to match the weir structure (A) pipe information for the 15" outflow pipe (from the OCS-6 to WQS-0).
 - e. Basin 6 - The plan shall be revised to match the weir structure (A) pipe information for the 24" outflow pipe (from the OCS-6 to EX-101).
 - f. Basin 6A - The plan shall be revised to match the weir structure (A) pipe information for the 18" outflow pipe (from the OCS-RET-6A to MH-06-07).
 - g. Basin 6B - The plan shall be revised to match the weir structure (A) pipe information for the 15" outflow pipe (from the OCS-RET-6B to MH-06-07).
8. The applicant shall revise the 100 year storm elevation on the plans to match the information in the pond report. Please revise to address the following inconsistencies
 - a. Basin 2: The 100 year storm elevation shown on the plan (61.90) is inconsistent with the SWM Report (67.71).
 - b. Basin 3: The 100 year storm elevation shown on the plan (69.55) is inconsistent with the SWM Report (69.75).
 - c. Basin 4: The 100 year storm elevation shown on the plan (59.50) is inconsistent with the SWM Report (59.44).
 - d. Basin 5: The 100 year storm elevation shown on the plan (69.05) is inconsistent with the SWM Report (69.12).
 - e. Basin 6: The 100 year storm elevation shown on the plan (63.97) is inconsistent with the SWM Report (63.87).
 - f. Basin 7: The 100 year storm elevation shown on the plan (67.08) is inconsistent with the SWM Report (67.13).
9. The grading plan shall be revised to ensure that basin 3, basin 5 and basin 7 have one (1) foot of freeboard.
10. For Basin-7, which is tributary to POA-6. The following shall apply;
 - a. From the hydrograph analysis, it appears that the 7.62-acre (undisturbed-detained) sub area, tributary to basin 7, is routed through a 2-ft wide, 1,965 linear-ft. Channel



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(reach). Please clarify.

- b. The proposed drainage area map shall be revised to indicate the ground cover for the composite curve number (CN) value of 62, assigned to the 32.72-acre (undisturbed/un-detained) subarea, directly tributary to POA 6. Please note that this sub-area is associated with the future residential development and should be considered fully developed in the analysis.
11. A 'Rain Garden Detail' is included on sheet 31 of 62. The applicant shall clarify the intent of the rain gardens. One (1) rain garden is proposed at the proposed Restaurant 1. The applicant shall verify that a minimum one (1) foot separation between the bottom of the rain garden and SHGW is provided.
12. There are inconsistencies between the catch basin sub-area map, the proposed catchment runoff coefficient calculations and the conveyance systems calculations. The inconsistencies vary and include drainage areas, runoff coefficients, etc. The applicant shall revise accordingly:
 - a. CB-01-13
 - b. CB-02-01
 - c. CB-02-04
 - d. CB-03-02
 - e. CB-03-04
 - f. CB-03-16
 - g. CB-03-18
 - h. CB-03-19
 - i. CB-03-21
 - j. CB-03-24
 - k. CB-04-06
 - l. CB-04-07
 - m. CB-04-08
 - n. CB-04-09
 - o. CB-05-04
 - p. CB-05-05
 - q. CB-05-16
 - r. CB-05-18
 - s. CB-06-02
 - t. CB-06-03
 - u. CB-06-09
 - v. CB-06-09A
 - w. CB-06-13



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- x. CB-06-14
- y. CB-06-16
- z. CB-06-27
- aa. CB-06-33
- bb. CB-06-38
- cc. CB-10-01
- dd. CB-10-13
- ee. CB-10-15
- ff. Clock Tower
- gg. Restaurant 7

13. The applicant shall provide the catch basin sub area maps for following pipe networks:

- a. Roof drain from building 4
- b. pipe network BLDG5
- c. roof drain from side outlet of BLDG5
- d. all roof drain from BLDG 6
- e. pipe network 7
- f. pipe network 10
- g. pipe network 11

14. The applicant shall provide the following conveyance systems calculations for review:

- a. Roof drain from building 4
- b. pipe network BLDG5
- c. roof drain from side outlet of BLDG5
- d. all roof drain from BLDG 6
- e. pipe network 7
- f. pipe network 10
- g. pipe network 11

15. The applicant shall confirm all drainage pipe systems are included in the conveyance systems calculations.

16. The applicant shall confirm the pipe lengths, inverts and structures, and revise the Network 6 conveyance system calculations based upon the current drainage plan layout.

17. Applicant shall confirm the drainage areas, CNs, and revise the following pipe sections for consistency between the catch basin sub-area map, the proposed catchment runoff coefficient calculations and the conveyance systems calculations.



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- a. Pipe Network 1
 - i. CB-01-08
 - ii. MH-01-01
 - iii. CB-01-05
- b. Pipe Network 2
 - i. MH-02-01
 - ii. MH-01-01
- c. Pipe Network 3
 - i. MH-03-01
- d. Pipe Network 4
 - i. MH-04-01
 - ii. MH-04-03
 - iii. CB-04-16
 - iv. MH-04-02
- e. Pipe Network 4
 - i. MH-04-01
 - ii. MH-04-03
 - iii. CB-04-16
 - iv. MH-04-02
- f. Pipe Network 6
 - i. MH-06-06
 - ii. MH-06-02
- g. Pipe Network 7
 - i. Inlet
 - ii. CB-07-03

18. The following pipe sections shall be revised for consistency between on the plans and pipe calculations with respect to the proposed slope;

- a. CB-03-21 to MH-03-02
- b. YD-03-01 to CB-03-21
- c. CB-03-13 to Outfall 3A
- d. CO-03-01 to CO-03-02
- e. Clock Tower to CO-03-01
- f. CB-04-09 to MH-04-01



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- g. CB-05-07 to CB-05-09
 - h. CB-07-10 to MH-07-01
 - i. CB-07-19 to CB-07-20
 - j. MH-10-11 to CB-EX-101
 - k. WQS-05 to MH-10-10
 - l. CB-10-13 to MH-EX (Network 10 Line 7)
19. The following pipe sections shall be revised for consistency between the plans and pipe calculation with respect to the proposed invert;
- a. CB-01-10
 - b. MH-02-01
 - c. CO-03-01
 - d. CO-03-02
 - e. Clock Tower
 - f. MH-10-11
 - g. MH-10-10
20. The applicant shall confirm the flow rate for the following structures with respect to the pond report;
- a. OCS 1
 - b. OCS 2
 - c. OCS 3
 - d. Outlet Ret 4
 - e. OCS 5
 - f. OCS 6
21. The following pipe sections shall be revised for consistency between the plans and pipe calculation with respect to the proposed invert;
- a. CB-01-10
 - b. MH-02-01
 - c. CO-03-01
 - d. CO-03-02
 - e. Clock Tower
 - f. MH-10-11
 - g. MH-10-10
22. The following grate/rim elevations shall be revised or confirmed for consistency between the plans and pipe calculation;
- a. YD-03-02



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- b. CB-03-19
- c. CO-03-01
- d. CO-03-02
- e. Clock Tower
- f. CB-10-01
- g. CB-10-02

23. The following Line ID shall be revised for consistency between the plans and pipe calculation;

- a. Network 3
 - i. Line 10 to Line 1
 - ii. Line 11 to Line 10
 - iii. Line 12 to Line 11
- b. Network 5
 - i. Line 12 to Line 11
 - ii. Line 13 to Line 12

24. The applicant shall revise the tailwater elevations for all riprap apron design.

- a. Outfall 1: The tailwater shown on the riprap apron design (4.58 ft) is inconsistent with the SWM Report (3.41 ft).
- b. Outfall 2A: The tailwater shown on the riprap apron design (2.70 ft) is inconsistent with the SWM Report (2.03 ft).
- c. Outfall 2B: The tailwater shown on the riprap apron design (4.70 ft) is inconsistent with the SWM Report (2.03 ft).
- d. Outfall 3A: The tailwater shown on the riprap apron design (3.12 ft) is inconsistent with the SWM Report (1.95 ft).
- e. Outfall 3B: The tailwater shown on the riprap apron design (3.12 ft) is inconsistent with the SWM Report (1.95 ft).
- f. Outfall 4A: The tailwater shown on the riprap apron design (3.41 ft) is inconsistent with the SWM Report (2.55 ft).
- g. Outfall 4A: The tailwater shown on the riprap apron design (3.41 ft) is inconsistent with the SWM Report (2.55 ft).
- h. Outfall 5: The tailwater shown on the riprap apron design (3.14 ft) is inconsistent with the SWM Report (2.23 ft).
- i. Outfall 6A: The tailwater shown on the riprap apron design (3.34 ft) is inconsistent with the SWM Report (2.22 ft).
- j. Outfall 6B: The tailwater shown on the riprap apron design (3.34 ft) is inconsistent with the SWM Report (2.22 ft).



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- k. Outfall 7A: The tailwater shown on the riprap apron design (1.03 ft) is inconsistent with the SWM Report (0.55 ft).
 - l. Outfall 7B: The tailwater shown on the riprap apron design (1.03 ft) is inconsistent with the SWM Report (0.55 ft).
- 25. The applicant shall provide the riprap apron design for Outfall 6C.
- 26. The applicant shall provide the 100yr +50% pond routing calculation for emergency spillway design review.
- 27. The applicant shall revise the area in water quality table to match the pond report.
 - a. Basin 03: The impervious shown on the table (6.31) is inconsistent with the SWM Report (6.32).
 - b. WQS-04: The impervious shown on the table (2.12) is inconsistent with the SWM Report (2.11).
 - c. Basin 07: The impervious shown on the table (3.71) is inconsistent with the SWM Report (3.70).
 - d. The total area shall be 53.92 ac
- 28. The applicant shall meet the total area requirement (16.135 AC) for the TSS removal rate for McClees Creek. However, the applicant only provided 10.752 ac for TSS removal.
- 29. The applicant shall include the exfiltration rate in basin 7 in the water quality storm analysis.
- 30. The SWM Report shall be revised to include calculations demonstrating that the design permeability rate of the on-site soil is sufficient to fully drain the Water Quality volume within 72 hours.
- 31. The applicant shall provide the specific yield and Horizontal hydraulic conductivity support calculations or documents for groundwater mounding analysis.
- 32. The soil type areas for the pre/post-developed conditions shall be revised for consistency in annual groundwater recharge analysis spreadsheet.
- 33. As per New Jersey Stormwater Best Management Practices Manual chapter 9.4 Extended Detention Basin, detention basins including basin 1, basin 2, basin 4 and basin 5, do not provide credit for groundwater recharge deficit.



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34. The applicant shall revise the proposed spreadsheet calculations for consistency with the catch basin sub-area map and the proposed catchment runoff coefficient calculations.
35. The applicant shall provide a maintenance agreement between the applicant and the NJDOT for proposed stormwater basin #4 for review and approval by the NJDOT. The basin is within the proposed NJDOT right-of-way; however, will be maintained by the applicant.
36. All tables in Stormwater Drainage Management Report I & II shall be revised upon the revision of calculations.
37. Applicant to confirm all drainage structure and pipe callouts are shown on the Partial Drainage Plans.
38. All riprap aprons and basins bottom elevation shall be shown on Drainage Profile Plans.
39. A structure and pipe callout is missing on CB-02-05 To OUTFALL 2B profile in Drainage Profiles, sheet 22 of 62.
40. A structure callout is missing on Restaurant 3 To OUTFALL 2B profile in Drainage Profiles, sheet 23 of 62.
41. A structure callout is missing on YD-03-01 To OUTFALL 3B profile in Drainage Profiles, sheet 23 of 62.
42. A pipe callout is missing on CB-04-00 To OUTFALL 04a profile in Drainage Profiles, sheet 24 of 62.
43. A structure and pipe callout are missing on CB-06-37 To CB-06-35 profile in Drainage Profiles, sheet 25 of 62.
44. A structure and pipe callout are missing on CB-06-35 To OUTFALL 6B profile in Drainage Profiles, sheet 25 of 62.
45. A CB-06-60 to CB-05-10 profile shall be rename to CB-05-17 to CB-05-10 profile in Drainage Profiles, sheet 26 of 62.
46. A structure and pipe callout are missing on Outlet Ret 6A to MH-06-04 profile in Drainage Profiles, sheet 26 of 62.



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47. A TD-06-04 to MH-06-08131 profile shall be rename to TD-06-04 to MH-06-08 profile in Drainage Profiles, sheet 26 of 62.
48. Applicant shall provide the construction details of the oversized drainage structures for review.
49. Grading and Drainage Details sheet 31 of 62 indicates Nyloplast Inlet Drain. The plan sheets do not indicate where they are being used.
50. The applicant shall provide the grate elevations and inverts of the wetland inlets.
51. The use of corrugate metal pipe is not recommended due to the poor durability and short life span. Please revise.
52. The SHGW elevation shown on the infiltration basin detail on sheet 30 of 62 shall be updated for consistency soil testing results.
53. The construction detail for the subsurface detention system on sheet 29 of 52 shall include UDG-Retail 5 as requiring anchoring as the system is within the SHGW table.
54. Per Section 540-639.B. of the Ordinance, all stormwater pipes shall be reinforced concrete or corrugated metal. The applicant is proposing HDPE pipes; therefore, a design waiver is required.
55. Per the NJDEP BMP manual, the applicant shall provide estimated cost information for the specific maintenance tasks outlined in the Stormwater Operations and Maintenance Manual. This information shall be included in the O&M Manual.
56. The applicant shall fill out, to the extent possible, and provide a draft copy of the "Tier A MS4 NJPDES Permit – Attachment D – Major Development Stormwater Summary" form for review.

E. Environmental

1. The EIR prepared for this project indicates that a NJDEP Letter of Interpretation issued for the site has expired. The LOI included in the EIR was reissued on October 21st, 2005 and expired June 21st, 2013. The applicant shall provide testimony regarding submission of any new Letter of Interpretation application(s) for this site as deemed necessary by the NJDEP. If such an application has been submitted to the NJDEP Division of Land Use Regulation, the applicant shall provide testimony regarding same. If not, the applicant shall be prepared to obtain a new LOI.



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2. The documents reviewed indicate that several permit applications have been issued by the NJDEP Division of Land Use Regulation for review and approval under the Freshwater Wetland Protection Act regulations. The following permit applications have been approved by the Department:

- Freshwater Wetlands General Permit No. 6 and Freshwater Wetlands Transition Area Averaging Plan Waiver - Issued July 1, 2016 - Expires June 30, 2021.
- Freshwater Wetland General Permit No. 11 Application. Issued February 19, 2016 – Expires February 18, 2021.

Note: The General Permit No 6 and Freshwater Wetlands Transition Area Averaging Plan and Freshwater Wetland General Permit No. 11 approvals reference the previous site plans dated 2016. The applicant shall provide testimony on the need to obtain a permit modification.

Note: The applicant shall prepare the Conservation Restriction as noted in Condition No 7 of the General Permit No 6 and Transition Area Waiver approval and filed with Monmouth County and a record is submitted to the NJDEP.

3. Based on a review of the documents submitted, no open waters appear to exist on the site, and as such, a Flood Hazard Area Permit will not be required to authorize the project.
4. The GP 6/Transition Area Averaging Plan Waiver application indicates that a Phase IB Archeological Investigation will be required to authorize the project. The applicant shall provide testimony regarding the status of this required investigation and how its results and findings may affect the current design. The applicant shall provide testimony regarding the findings of the Phase I Archeological Survey (Hunter Research, June 2016) conducted for the project. Specifically, no work is permitted to commence until all required permit conditions are satisfied. Specific testimony shall be provided relative to preservation of and/or mitigation of any impacts to the two sites deemed eligible by Hunter Research for listing on the New Jersey and National Registers of Historic Places. Lastly, the applicant shall provide testimony regarding additional pre-historic archaeological testing and investigation of potential burial sites as recommended in Hunter's report. Testimony shall be focused on the potential need to redesign any element of the site configuration to eliminate or reduce impacts to these sensitive resources.
5. The applicant shall provide testimony regarding any past or present sources of environmental site contamination including historic fill, historic pesticides, underground and/or above ground storage tanks (USTs/ASTs), hazardous materials releases, and all other related potential Areas of Concern (AOCs).



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6. The applicant shall provide conservation easements for all environmentally sensitive areas including, but not limited to wetlands, transition areas, streams, ponds, steep slopes, screening buffers and specimen trees within the project site. These easements shall follow Section 540-614.B. of the Ordinance.
7. Per the Redevelopment plan a maximum of 65% of slopes greater than 10% may be used for construction purposes. Man-made slopes greater than 15% shall not be considered steep slopes and shall not be subject to any maximum disturbance requirements. The applicant shall indicate the amount of slope disturbance between 10% and 15%.
8. Based on review of the most recent set of project design plans, numerous changes appear to have been made throughout the site. The applicant shall provide specific testimony demonstrating how these changes may affect the status of all State approvals and permits issued for the project. Confirmation shall be provided from all agencies.
9. The applicant shall provide approved NJDEP Permit Plans.

F. Landscaping/Lighting

1. **540-606.C.4:** Where proposed development occurs 100 feet or more from residential zone/use a single row of evergreen trees spaced at 5' on center be planted. Applicant has provided buffer and evergreen trees; however, quantity of evergreen trees does not correlate to 5' o.c. spacing. There is adequate room for additional evergreen tree plantings in the area of the to be vacated Kings Hwy East. Additional trees should be proposed, or a waiver requested.
2. **540-614.C:** Site triangle easements are required at all street intersections. Such easements shall restrict the planting of trees and other object including shrubs greater than 30" in height. These easements should be added to the plans. Proposed trees and landscaping which will exceed 30" in height shall be relocated to outside of the clear site triangle easement areas. Two areas of specific concern are the intersections of Inter-Connect Road with Kings Hwy East and Kanes Lane where trees are proposed within 50 feet of the right-of-way intersection points.
3. **540-622.C.3:** 15% of the Site Plan shall be reserved for landscaping which shall include a 4' planting strip on the front, sides, and rear of any building or structure. The applicant has provided an exhibit plan showing more than 15% coverage; however, listed impervious lot coverage in calculations on sheet CS802 (Landscape Coverage Plan) does not match lot coverage quantity listed on sheet CS801 (Lot Coverage Plan). Also, the excluded parking landscape coverage quantity on sheet CS802 does not match quantity reported on sheet



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CS803 (Parking Landscape Coverage Plan). Calculation quantities shall be confirmed and revised. Not all sides of the buildings are proposed to be landscaped.

4. **540-622.C.4.b:** 1 tree is required for each 30' along all undedicated roadways, drives, and parking areas. There remain areas throughout the site that require additional trees, specifically along the main drive in front of basins 2 and 3, the rear service drive behind building 5 and along the entry drive adjacent to Building 7.
5. **540-622.D.2:** 1 tree and 2 shrubs shall be provided for every 10 parking spaces. Calculations have been provided to demonstrate compliance with the plant quantity; however, the calculation summary chart on sheet CS804 lists the Wells Fargo as requiring 5 trees and 9 shrubs, although only 2 trees and 0 shrubs are listed in the chart as proposed. Furthermore, the plan shows only 1 tree and no shrubs being proposed in this area. The applicant should add additional landscaping as required and revise the calculations to show conformance with the requirements.
6. **540-632.A:** When the effective operation of a building or structure, or equipment within a building or structure, necessitates placing machinery, motors, generators, or similar devices for cooling, heating, or generating purposes, outside or on top of any structure, they shall be screened from public view. The applicant shall confirm compliance.
7. A proposed NS tree along the eastern side of the Kings Hwy right of way near the start of realigned portion appears to be planted offsite and should be corrected.
8. The proposed street trees along Kings Hwy/Twin Brooks Extension and Inter-Connect Road as all proposed as Ginkgo biloba. It is recommended to incorporate other tree species, so as not to create a monoculture of the same street tree species in the event a disease of the trees becomes problematic in the future.
9. The applicant shall confirm that there are not any locations where shade trees are proposed immediately on top, or within 5' of underground utilities.
10. Basin 6 contains two-tiered retaining wall on the north side, approximately 10' apart. 6 PIAB and 6 PN are proposed between the two retaining walls. These are large evergreen trees which will outgrow this narrow space. We recommend using a more upright evergreen such as Eastern Red Cedar, Leyland Cypress, or Nellie Stevens Holly .
11. Additional evergreen buffer trees should be proposed between the two-tier retaining wall to fill in the gaps to better buffer the adjacent Building 6 loading area from view along Kanes Lane. The space between the tiered retaining also calls for Meadow Mix 'B' as a groundcover which may be difficult to establish and maintain. Another low to no maintenance groundcover besides the Meadow Mix should be proposed here.



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12. The north side of Basin 6 contains a narrow grass strip between the top of the retaining wall and the adjacent curb in which a guide rail and cross buck fence are proposed as detailed on sheet CS501. The landscape plan calls for lawn in this area which will be difficult to access and maintain. It is recommended that the applicant explore alternate landscape treatments in this area. The site plan calls for a 16' wide double leaf access gate in the fence at the top of the wall for maintenance. The location would be difficult to get equipment in given the close proximity of the wall and the guiderail would need an opening to permit the gate in the fence. It is recommended to relocate the gate to the western end point of the basin for better access.
13. The applicant is proposing Tree Lilac as a street tree along Kanes Lane. This is a small street tree appropriate for tight locations. As there is plenty of room at this location, we recommend using a full size shade tree such as Red Oak or Sugar Maple.
14. The landscape plans and planting notes indicate "Planting soil within landscape islands designated for Black Mondo Grass shall be H-20 Load Bearing per specifications". The intention of this specification is unclear. Any planting soil that is compacted to withstand H-20 loading will most likely be too dense to support plant growth. Additionally, even if the soil is designed to withstand this type of loading, the Black Mondo Grass will not survive under vehicular traffic conditions. The applicant shall clarify the intent of these planting islands and provide site specific soil and planting specifications to demonstrate how this will be accomplished.
15. Remove note referencing Diamond Tree Pit Planting Detail from the Parking Island Detail on sheet LP501.
16. There are several incorrect plant labels or plants with no label. These should be corrected.
17. The evergreens proposed along the north eastern boundary adjacent to Inter-Connect Road should be shifted back away from the proposed sidewalk. These evergreens will encroach onto the sidewalk.
18. Note 16.C of the General Landscape Planting Notes should be revised to indicate entire removal of the wire basket in lieu of folding down the basket 8". Baskets bottoms may be cut prior to placement in the planting pit and the remainder of the basket cut and removed after placement in the planting pit to prevent loosening of the root ball.
19. All existing trees to remain and being counted towards tree planting requirements shall be shown on the Landscape Plan and the Landscape Calculation Sheets. Specifically, the existing trees to remain on the Wells Fargo parcel shall be added to the plans.



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20. The following comments are generated based on the Adopted Circus Liquors Redevelopment Plan:
- a. The Redevelopment Plan requires that landscaping shall be provided in and around stormwater basins to consist of deciduous and evergreen shrubs and not less than 20 shade trees. Basin 1 is designed with no perimeter landscaping and Basins 2 and 3 do not have any landscaping proposed on the site side. Additional landscaping shall be added to these basins with shrubs, perennials, and shade trees to enhance aesthetics from public view.
 - b. The Redevelopment Plan requires that each parking area landscape island shall be planted with two (2) three and one half inch (3 ½”) caliper trees. The landscape schedule shall be revised to increase the minimum caliper size.
 - c. One landscape island shall be provided at a maximum of 180 feet (every 20 spaces) within the parking fields. Several locations do not meet this requirement and additional islands shall be added and landscaped as required.
 - d. Non-residential buildings less than 20,000 square feet in size shall have a planting strip at least 6’ wide between the building and adjacent perimeter curbing on all four sides, except for building entrances and loading areas. Several buildings do not meet this requirement nor propose landscaping on each side. Additional landscaping shall be proposed, and landscape areas shall be a minimum of 6’ in width.
 - e. The base of each tree shall be left free of pavement for a diameter of not less than 8 feet or structural soil protections shall be provided of a comparable diameter.
 - f. All deciduous trees shall be placed at a minimum of 4” caliper.
 - g. The applicant shall confirm that all parking area lighting levels are in accordance with IESNA recommendations.
 - h. The plans shall be revised to indicate that all lighting shall be LED and Darksky compliant.
 - i. The lighting shall be revised to be no greater than 18 feet along the connector road.
21. We defer to the Building Department for review and approval of the proposed light pole footings.



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G. Miscellaneous

1. We defer the traffic review to the Township's traffic consultant.
2. We defer aspects of emergency services, site access and site safety to the Fire Official. Approval shall be obtained.
3. If approved, we recommend the applicant enters into a Developers Agreement with the Township.
4. The applicant shall provide an operations and maintenance agreement for the proposed interconnect road and site improvements. The O&M Manual for the stormwater system was provided.
5. Access easements shall be provided for roadways, driveways, parking lots and other improvements on which the public may travel.
6. Access/construction agreements shall be provided for all properties on which improvements are proposed.
7. Wood guiderail shall be designed in accordance with Federal Highway Standards, or other applicable standards.
8. The applicant shall provide any proposed easements on the site plans.
9. The applicant shall provide a point by point response letter addressing the comments included in this letter.
10. The applicant shall provide the Township with Title 39 jurisdiction over the subject site.
11. Approvals should be obtained from the following agencies or departments:
 - Township of Middletown Sewerage Authority (TOMSA)
 - Monmouth County Planning Board
 - NJDEP
 - Freehold Soil Conservation District
 - NJDOT
 - Fire Official
 - All other agencies and departments having jurisdiction.



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If you have any questions or require additional information, please call.

Very truly yours,

T&M ASSOCIATES

ROBERT R. KEADY, P.E., C.M.E.
MIDDLETOWN TOWNSHIP
PLANNING BOARD ENGINEER

RRK:CS:lkc

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